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March 17, 2022

VIA ECF AND EMAIL

The Honorable Douglas E. Arpert
United State District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

Re: *Gustavo Martínez v. City of Asbury Park et al.*, No. 3:20-cv-08710-AET-DEA

Dear Judge Arpert:

We serve as counsel for Plaintiff Gustavo Martínez in the above-captioned matter (the “Action”). We write jointly on behalf of all parties to respectfully request that the Court vacate the administrative order of dismissal entered on March 15, 2022 and provide the parties an additional 60 days within which to either submit papers resolving the Action or provide a joint status report if circumstances prevent resolution of the matter by then.

On January 11, 2022, the parties reached a settlement agreement in principle at a settlement conference before Your Honor. The Court then entered an order pausing the Action for 60 days for the parties to paper the settlement and allow the City of Asbury Park’s insurer, the New Jersey Intergovernmental Insurance Fund (“NJIF”) to approve the amount of the settlement. On March 15, 2022, the Court entered an administrative order of dismissal of the Action. However, as of March 15, 2022, the parties had not yet finalized the draft settlement agreement and those efforts remains ongoing.

The NJIF approved the settlement on February 24, 2022, subject to a full settlement and release being executed. The City of Asbury Park’s counsel forwarded the draft settlement agreement to Plaintiff’s counsel and defense counsel for the Borough of Belmar and County of Monmouth the next day, February 25, 2022. Plaintiff’s counsel is working to provide a response to Defendants’ counsel on that draft settlement agreement, but Plaintiff has been travelling in March in rural Mexico to visit family there, so the process has taken some additional time. Plaintiff’s counsel anticipates providing a response to Defendants’ counsel promptly. Defense counsel for the Borough of Belmar and County of Monmouth may have their own comments.

To provide the necessary time to finalize a settlement agreement, the parties respectfully request that the Court vacate the administrative order of dismissal and grant the parties an additional 60 days within which to either submit papers resolving the Action or provide a joint status report if circumstances prevent resolution of the matter by then. All parties consent to this joint request.

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Respectfully submitted,

/s/ Stephanie L. Silvano

cc: All counsel of Record (via ECF and Email)